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Attorneys For Defendant-
Counterclaim Plaintiff Radiancy, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TRIA BEAUTY, INC.,
Plaintiff,

vs.

RADIANCY, INC.,
Defendant.

RADIANCY, INC.,
Counterclaim Plaintiff,

vs.

TRIA BEAUTY, INC.,
Counterclaim Defendant,

and

KIMBERLY KARDASHIAN,
Counterclaim Defendant.

CASE NO. CV-10-5030 (RS) (NJV)

**DEFENDANT-COUNTERCLAIM
PLAINTIFF RADIANCY, INC.'S
MOTION FOR ADMINISTRATIVE
RELIEF PURSUANT TO CIVIL
LOCAL RULES 7-11 AND 79-5 TO
FILE AN AFFIDAVIT EXHIBIT AND
PORTIONS OF RADIANCY, INC.'S
REPLY MEMORANDUM OF POINTS
AND AUTHORITIES IN FURTHER
SUPPORT OF ITS MOTION FOR
PARTIAL SUMMARY JUDGMENT
UNDER SEAL**

Judge: Hon. Richard Seeborg

Trial Date: July 23, 2012

1 TO THE HONORABLE RICHARD SEEBORG AND PLAINTIFF-COUNTERCLAIM
2 DEFENDANT TRIA BEAUTY, INC. AND ITS ATTORNEYS OF RECORD:

3 Pursuant to Civil Local Rules 7-11 and 79-5, Defendant-Counterclaim Plaintiff Radiancy,
4 Inc. (“Radiancy”) moves the Court to file under seal an Exhibit to the Reply Affidavit of Haley
5 B. Heyer in Further Support of Defendant-Counterclaim Plaintiff Radiancy, Inc.’s Motion for
6 Partial Summary Judgment (the “Heyer Affidavit”) and portions of Radiancy’s Reply
7 Memorandum of Points and Authorities in Further Support of Its Motion for Partial Summary
8 Judgment (the “Memorandum”). Radiancy files this motion in compliance with paragraph 18 of
9 the Protective Order in this matter (Dk. No. 85) (the “Protective Order”), Civ. L. R. 79(d), and in
10 a good faith effort to maintain the confidentiality of material designated as “Confidential” and
11 “Attorneys Eyes Only” by Plaintiff-Counterclaim Defendant TRIA Beauty, Inc. (“TRIA”).

12 **Description of Documents Submitted Under Seal**

13 TRIA has designated Exhibit 1 to the Heyer Affidavit “Confidential.” Radiancy’s
14 Memorandum also contains excerpts from and discussions of documents that TRIA has
15 designated “Confidential Attorneys’ Eyes Only” or “Confidential.” Accordingly, Radiancy
16 submits Exhibit 1 to the Heyer Affidavit and the Memorandum for filing under seal pursuant to
17 Civil Local Rules 79-5(d).

18 In accordance with Rule 79-5(c)(3), Radiancy is lodging with the Clerk a copy of Exhibit
19 1 to the Heyer Affidavit and the Memorandum, which contains the sealable portions of the
20 document highlighted within the text for filing under seal.

Conclusion

Based on the foregoing, Radiancy respectfully requests that the aforementioned documents be filed under seal, and the redacted versions of such documents to be filed in the public record.

Dated: April 26, 2012

Respectfully submitted,

PROSKAUER ROSE LLP



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